

BILL NO. Z-74-01-89

ZONING ORDINANCE NO. Z-East

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map Nos. A2 & A4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated  
a B1A district under the terms of Chapter 36, Municipal Code of the City of Fort  
Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments  
thereof, and the symbols of the City of Fort Wayne Map Nos. A2 & A4 referred to  
therein, established by Section 9, Article III of said Chapter as amended are hereby  
changed accordingly, to-wit:

N 1/2 Exc. E 16.5 of a Lot 476 in Hamilton's 4th Addition

SECTION 2. This Ordinance shall be in full force and effect from  
and after its passage and approval by the Mayor and legal publication thereof.

Councilman

APPROVED AS TO FORM  
AND LEGALITY

CITY CLERK

Read the first time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 1-22-74

Charles W. Johnston  
CITY CLERK

Read the third time in full and on motion by V Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~LOST~~) by the following vote:

AYES	<u>0</u>	NAYS	<u>9</u>	ABSTAINED	ABSENT	to-wit:
BURNS	_____	<u>X</u>	_____	_____	_____	_____
HINGA	_____	<u>X</u>	_____	_____	_____	_____
<del>HUNTER</del>	_____	<u>X</u>	_____	_____	_____	_____
MOSES	_____	<u>X</u>	_____	_____	_____	_____
NUCKOLS	_____	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	_____	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	_____	<u>X</u>	_____	_____	_____	_____
STIER	_____	<u>X</u>	_____	_____	_____	_____
TALARICO	_____	<u>X</u>	_____	_____	_____	_____

DATE: 7-25-78

Charles W. Johnston  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 22, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-01-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 18, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this  
29th day of September, 1975.



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Charles N. Hall  
Secretary

Bill No. Z-74-01-09

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map Nos. A2 & A4

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DOHALD J. SCHMIDT

JAMES S. STIER

*Vivian G. Schmidt*  
*John Nuckols*  
*William T. Hinga*  
*Donald J. Schmidt*  
*James S. Stier*

7-25-79 CONCURRED IN  
DATE 7-25-79 CHARLES W. WESTERMAN, CITY CLERK

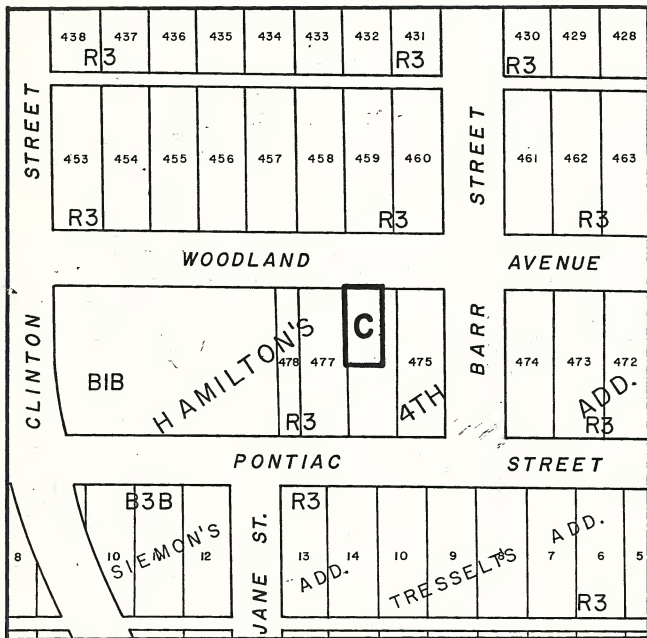
## RECEIPT

GENERAL FUND

No 244

FT. WAYNE, IND., 12/28 19 73RECEIVED FROM Mary G. Johnson \$ 50.00THE SUM OF Fifty and 00/100 100 DOLLARSON ACCOUNT OF N 1/2 EVC. E16.5 of Lot 476Hamilton 4th AdditionBarb Stuck

AUTHORIZED SIGNATURE



**C** CHANGE FROM. R3 TO BIA

2-74-01-09



TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Date Filed 1/27/73

Intended Use Beauty Shop

I/We Mary L. Johnson

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R3 District to a/an B1A District the property described as follows:

A 2 story, 3 bedrooms and Bath upstairs, Living Room, Kitchen, utility room downstairs, also a room, 14' x 18' with 1/2 Bath partitioned off with private entrance for Beauty Shop.

(Legal Description)

N 1/2 EXC. E16.5 of a Lot 476  
Hamiltons 4th Addition

Johnson, Leroy, 4-13-70 10/5675

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Mary L. Johnson 240 E. Woodland Mary L. Johnson

(Name)

(Address)

(Signature)

Legal Description Checked By: \_\_\_\_\_

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Mary L. Johnson 240 E. Woodland

(Name)

(Address)

456-4061

(Telephone Number)

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Date Filed 12/27/73

Intended Use Beauty Shop

I/We Mary E. Johnson

~ (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an \_\_\_\_\_ District to a/an \_\_\_\_\_ District the property described as follows:

A 2 story, 3 Bedrooms and Bath upstairs. Living Room, Kitchen, Utility Room downstairs. also a room 10'x18' with 1/2 Bath partitioned off with private entrance for Beauty Shop.

(Legal Description)

N 1/2 EXC. E16.5 of a Lot 476  
Hamiltons 4th addition

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Mary E. Johnson 240 E. Woodland Mary E. Johnson

(Name)

(Address)

(Signature)

Legal Description Checked By: \_\_\_\_\_

(City Engineer)

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Name and address of preparer, attorney or agent:

Mary E. Johnson 240 E. Woodland 456-4061  
(Name) (Address) (Telephone Number)





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning  
Long Range Planning & Zoning

18 July 1978

Members of the Common Council  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

The attached is a letter forwarded to Mrs. Mary Johnson, the petitioner for Bill No. Z-74-01-09 a rezoning from "R3" to "B1A" on November 14, 1975. We received no response from Mrs. Johnson. The letter to the Members of the Common Council along with the note directing Mrs. Johnson to contact Mrs. Eshcoff was forwarded to Mrs. Johnson on June 27, 1978 the day the Plan Commission returned the ordinance to Council with a recommendation of DO NOT PASS.

Sincerely,

CITY PLAN COMMISSION

Patricia A. Biancaniello  
Secretary

3-74-01-09



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802  
Long Range Planning & Zoning

21 June 1978

Members of the Common Council of the  
City of Fort Wayne  
City-County Building  
Fort Wayne, IN 46802

Re: Bill No. Z-74-01-09  
Rezoning from R3 to B1A

Gentlemen and Mrs. Schmidt:

The attached ordinance was originally forwarded to Council on September 26, 1975 with a DO NOT PASS recommendation. Council deferred action pending possible revisions in the City Zoning Ordinance which would allow home occupation beauty shops. Council requested that we contact the petitioner Mrs. Mary Johnson, and inform her of this action and how she could apply for a home occupation.

As you can see by the attached letter we contacted Mrs. Johnson but did not receive a response. We are therefore returning the ordinance to Council with our original DO NOT PASS recommendation.

Sincerely,

DIVISION OF LONG RANGE PLANNING & ZONING

Gary F. Baeten  
Land Use Administrator

GFB:pb

Attachments



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

November 14, 1975

Ms. Mary G. Johnson  
240 E. Woodland Avenue  
Fort Wayne, Indiana 46803

Dear Ms. Johnson:

We are presently holding a rezoning requested submitted by you on December 27, 1973. The City Plan Commission, subsequently deferred action on this request pending a possible revision of the City Zoning Ordinance which would allow home occupation beauty shops.

The City Plan Commission has recently passed an ordinance which allows beauty shops, which meet the criteria of a home occupation in any zone, following approval of the Board of Zoning Appeals.

We would appreciate hearing from you at your earliest convenience in order that we may process your application for a beauty shop and void the request we now have on file.

Sincerely,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*Gary F. Baeten*  
Gary F. Baeten  
Land Use Administrator

GFB:pr





## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

September 29, 1975

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-74-01-09
2. Intended Use: Beauty Shop
3. From: "R3" to "B1A"
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. The "B1A" zoning classification is not compatible with the present zoning or uses in the immediate area.
- b. Traffic and street capacity is a primary object of concern. The present width of improvement on Woodland is 24' with parking on both sides. There is no apparent way to provide off-street parking without demolition of residential structures.
- c. At the present time, the petitioners can now apply thru the Board of Zoning Appeals for a beauty shop in the home as home occupation.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*Gary Baeten*  
Gary Baeten  
Land Use Administrator

GFB:pr  
MTT.

cc: Mayor Ivan Lebamoff



The enclosed materials have been forwarded to Council. If you wish to know when final action is taken on this amendment, please contact Mrs. Nadka Eshcoff in the City Clerk's Office at 423-7183.

CITY PLAN COMMISSION

Reg

DIGEST SHEET

TITLE OF ORDINANCE

Zoning Map Amendment Ordinance

3-74-01-09

DEPARTMENT REQUESTING ORDINANCE

City Plan Commission

SYNOPSIS OF ORDINANCE

Preparation of a zoning map m amendment

ordinance petition initiated by property owners to rezone property located

as follows: The north 1/2, excluding the east 16.5 feet of Lot # 476

Hamilton's 4th Addition, located on the south side of Woodland Avenue,

and approximately 68 feet west of Barr Street.

From "R3" to "B1A"

EFFECT OF PASSAGE

Property is presently zoned "R3" - Multiple family

residential. Petitioners are requesting a "B1A" District - Limited Business

EFFECT OF NON-PASSAGE

Property would remain residential

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

None

ASSIGNED TO COMMITTEE (J.N.)